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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/637,625	HUI ET AL.
	Examiner	Art Unit	
	ANTHONY BANTAMOI	2423	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>13 February 2009</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-18, and 22-45</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-18, and 22-45</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/13/2009 has been entered.

Response to Arguments

2.   Applicant's arguments filled 02/13/2009 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stephen Bugaj et al in the publication titled Synchronized Multimedia Integration Language, November 1997, edited by Phillip Hoscha (09/09/1997). (Bugaj), in view of US Patent Publication 2002/0112249 to Hendricks et al. (Hendricks).

        Regarding claim 1, Bugaj in section 2. lines 1-4 discloses SMIL (synchronized media integration language) for integrating a set of independent multimedia objects into

a synchronized multimedia presentation such as slide show synchronized with audio comments or a video synchronized with text stream wherein SMIL is an XML-based language (section 3 line 1). In section 4 Bugaj teaches the general syntax of a SMIL document comprising a header and a body wherein both parts contain elements and attributes which reads on "An XML-based stored in a computer-readable medium for encoding a visual cue for visual component of a multimedia presentation, wherein the XML-based element is structured for use by a computer to display the multimedia presentation including the visual component and the visual cue on a display surface of the computer, wherein the XML-based -element comprises".

Bugaj teaches a layout section of a SMIL document including alternative layout elements embedded in a switch element used to determine the placement of the presentation (section 5, General Semantics, lines 1-6), however, Bugaj is silent on a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal art-element attribute that defines temporal characteristics of the visual cue, wherein the and spatial characteristics of the visual cue are defined relative to temporal and spatial characteristics of the associated visual component, and wherein the computer superimposes a display of the visual associated cue on the display of the computer over the visual component in the multimedia presentation using a visual appearance which is based on the visual representation of the visual cue as defined in the visual element attribute that defines visual representation of the visual cue, during a period of time which is based on the temporal characteristics of the visual cue as defined in the

temporal element attribute that defines temporal characteristics of the visual cue, and at a location over the associated visual element which is based on the spatial characteristics of the visual cue as defined in the spatial element attribute that defines spatial characteristics of the visual cue.

The examiner maintains that it was well known in the art to provide "a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal art-element attribute that defines temporal characteristics of the visual cue, wherein the and spatial characteristics of the visual cue are defined relative to temporal and spatial characteristics of the associated visual component, and wherein the computer superimposes a display of the visual associated cue on the display of the computer over the visual component in the multimedia presentation using a visual appearance which is based on the visual representation of the visual cue as defined in the visual element attribute that defines visual representation of the visual cue, during a period of time which is based on the temporal characteristics of the visual cue as defined in the temporal element attribute that defines temporal characteristics of the visual cue, and at a location over the associated visual element which is based on the spatial characteristics of the visual cue as defined in the spatial element attribute that defines spatial characteristics of the visual cue", as taught by Hendricks.

In a similar field of endeavor Hendricks teaches a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal art-element attribute that defines

temporal characteristics of the visual cue, wherein the and spatial characteristics of the visual cue are defined relative to temporal and spatial characteristics of the associated visual component (figure 2, labels 36, & 40, & Para. 0061, & 0113).

In addition, Hendricks teaches wherein the computer superimposes a display of the visual associated cue on the display of the computer over the visual component in the multimedia presentation using a visual appearance which is based on the visual representation of the visual cue as defined in the visual element attribute that defines visual representation of the visual cue, during a period of time which is based on the temporal characteristics of the visual cue as defined in the temporal element ..attribute that defines temporal characteristics of the visual cue, and at a location over the associated visual element which is based on the spatial characteristics of the visual cue as defined in the spatial element attribute that defines spatial characteristics of the visual cue (figure 3, Labels 36, & 44, & Para. 0061, & 0070, & 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bugaj by specifically providing "a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal art-element attribute that defines temporal characteristics of the visual cue, wherein the and spatial characteristics of the visual cue are defined relative to temporal and spatial characteristics of the associated visual component, and wherein the computer superimposes a display of the visual associated cue on the display of the computer over the visual component in the multimedia presentation using a visual appearance which is

based on the visual representation of the visual <u>cue as defined in the visual element</u> <u>attribute that defines visual representation of the visual cue,</u> during a period of time <u>which is</u> based on the temporal characteristics of the visual cue <u>as defined in the</u> <u>temporal element ..attribute that defines temporal characteristics of the visual cue,</u> and at a location over the associated visual element which is based on the spatial characteristics of the visual cue <u>as defined in the spatial element attribute that defines</u> <u>spatial characteristics of the visual cue</u>", as taught by Hendricks, for the purpose of providing interactive presentations thereby providing additional information on presentation to user while user is watching the presentation.

Regarding Claim 2, Bugaj teaches schedule elements including begin and end times wherein duration is defined as the difference between the end times and begin time of an element (section 6.1, General Semantics, line 3, & section 6.2 page 8, line 3) which meets "An XML-based element wherein the temporal characteristics include <u>at</u> least two of begin time, end time, and duration".

Regarding Claim 3, Bugaj teaches an image element tagged as an XML media object element (section 6.4, Syntax) which inherently meets "An XML-based element, wherein the visual representation includes color".

Regarding Claim 4, Bugaj teaches an image element (section 6.4, Syntax) which meets "An XML-based element, wherein .the visual representation includes shape".

Regarding Claim 5, Bugaj teaches a layout section of a SMIL document including alternative layout elements embedded in a switch element used to determine the

placement of the presentation (section 5, General Semantics, lines 1-6) which meets "An XML-based element, wherein the spatial characteristics include position".

Regarding Claim 6, Bugaj teaches a smile document for the newscast presentation illustrated in figure 7.1 page 26 wherein the layout and temporal elements are controlled by their associated attributes in hierarchal order (section 7.4 page 27) which meets "An XML-based element, wherein the XML-based element for the visual cue is nested within an XML- based element that defines the associated visual component".

Regarding claim 7, Bugaj teaches a news broadcast on the web as shown in figure 7.1 to the left and right (section 7.4, page 26, lines 2-9) which meets "In an XML-based browser that displays synchronized multimedia presentations on a display of a computer to user a method for processing an XML-based element for visual cue associated with a visual component of the multimedia presentation comprising"

In addition Bugaj teaches an XML data structure holding the elements of the of the newscast scenario written in XML code comprising elements stored in tags wherein each element has its own properly defined attribute including spatial and temporal characteristics to perform a presentation (page 27) which meets "storing information from the XML-based element concerning the visual component to which the visual cue is associated, together with the information from the XML-based element concerning visual representation".

Bugaj teaches a layout section of a SMIL document including alternative layout elements embedded in a switch element used to determine the placement of the

presentation (section 5, General Semantics, lines 1-6), however, Bugaj is silent on spatial and temporal characteristics of the visual cue; and in synchronization with display of the visual <u>component</u>, displaying the visual cue with the visual representation specified, and in the spatial and temporal relationships specified by the spatial and temporal characteristics, wherein the defined temporal and spatial characteristics of the visual cue are relative to temporal and spatial characteristics of the associated visual component, and wherein the <u>display of the</u> visual is superimposed over the associated visual component in the multimedia presentation with a visual appearance based on the defined visual representation of the visual cue, during a period of time based on the defined temporal characteristics of the visual cue, and at a location over the associated visual element based on the defined spatial characteristics of the visual cue.

The examiner maintains that it was well known in the art to provide "spatial and temporal characteristics of the visual cue; and in synchronization with display of the visual <u>component</u>, displaying the visual cue with the visual representation specified, and in the spatial and temporal relationships specified by the spatial and temporal characteristics, wherein the defined temporal and spatial characteristics of the visual cue are relative to temporal and spatial characteristics of the associated visual component, and wherein the <u>display of the</u> visual is superimposed over the associated visual component in the multimedia presentation with a visual appearance based on the defined visual representation of the visual cue, during a period of time based on the defined temporal characteristics of the visual cue, and at a location over the associated

visual element based on the defined spatial characteristics of the visual cue", as taught by Hendricks.

In a similar field of endeavor Hendricks teaches spatial and temporal characteristics of the visual cue; and in synchronization with display of the visual component, displaying the visual cue with the visual representation specified, and in the spatial and temporal relationships specified by the spatial and temporal characteristics, wherein the defined temporal and spatial characteristics of the visual cue are relative to temporal and spatial characteristics of the associated visual component (figure 2, labels 36, & 40, & Para. 0061, & 0113).

In addition, Hendricks teaches wherein the display of the visual is superimposed over the associated visual component in the multimedia presentation with a visual appearance based on the defined visual representation of the visual cue, during a period of time based on the defined temporal characteristics of the visual cue, and at a location over the associated visual element based on the defined spatial characteristics of the visual cue (figure 3, Labels 36, & 44, & Para. 0061, & 0070, & 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bugaj by specifically providing "spatial and temporal characteristics of the visual cue; and in synchronization with display of the visual component, displaying the visual cue with the visual representation specified, and in the spatial and temporal relationships specified by the spatial and temporal characteristics, wherein the defined temporal and spatial characteristics of the visual cue are relative to temporal and spatial characteristics of the associated visual

component, and wherein the <u>display of the</u> visual is superimposed over the associated visual component in the multimedia presentation with a visual appearance based on the defined visual representation of the visual cue, during a period of time based on the defined temporal characteristics of the visual cue, and at a location over the associated visual element based on the defined spatial characteristics of the visual cue", as taught by Hendricks, for the purpose of providing interactive presentations thereby providing additional information on presentation to user while user is watching the presentation.

Regarding Claim 8, Bugaj teaches schedule elements with begin and end time wherein duration is the difference between the end time and begin time of an element (section 6.1, General Semantics, line 3 section 6.2 page 8, line 3) which meets "An XML-based browser, wherein the temporal characteristics include <u>at least two</u> of begin time, end time, and duration".

Regarding Claim 9, Bugaj teaches an image element tagged as an XML media object element (section 6.4, Syntax) which inherently meets "An XML-based browser, wherein the visual representation includes color".

Regarding Claim 10, Bugaj teaches an image attribute (section 6.4, Syntax) which meets "An XML-based browser, wherein the visual representation includes shape".

Regarding Claim 11, Bugaj disclose a layout section of a SMIL document including alternative layout elements embedded in a switch element used to determine the placement of the presentation (section 5, General Semantics, lines 1-6) which meets "An XML-based browser, wherein the spatial characteristics include position".

Regarding Claim 12, Bugaj teaches an SMIL document for the newscast presentation illustrated in figure 7.1 page 26 wherein the layout and temporal elements are controlled by their associated attributes in hierarchal order (section 7.4 page 27) which meets "An XML-based browser, wherein the XML-based element for the visual cue is nested within an XML-based element that defines the associated visual component".

Regarding claim 13, Bugaj teaches a news broadcast on the web as shown in figure 7.1 to the left and right (section 7.4, page 26, lines 2-9) which meets "A computer-readable storage medium storing computer executable process steps to .display a synchronized multimedia presentation on a display of a computer to a user, and to process an XML-based element for a visual cue associated with a visual component of the multimedia presentation wherein the computer-executable process step cause the computer to execute process steps comprising".

In addition Bugaj teaches an XML data structure holding the elements of the of the newscast scenario written in XML code comprising elements stored in tags wherein each element has its own properly defined attribute including spatial and temporal characteristics to perform a presentation (page 27) which meets "a storing step to store information from the XML-based element concerning the element visual component to which the visual cue is associated, together with information from the XML-based element concerning visual representation".

Bugaj teaches a layout section of a SMIL document including alternative layout elements embedded in a switch element used to determine the placement of the

presentation (section 5, General Semantics, lines 1-6), however, Bugaj is silent on spatial and temporal characteristics of the visual cue; and in synchronization with display of the visual <u>component,</u> a displaying step to display the visual cue with the visual representation in the spatial and temporal relationships specified by the spatial and temporal characteristics, wherein the defined temporal and spatial characteristics of the visual cue are relative to temporal and spatial characteristics of the associated visual component, and wherein the <u>display of the</u> visual cue is superimposed over the associated visual component in the multimedia presentation a visual appearance based on the defined visual representation of the visual cue, during a period of time based on the defined temporal characteristics of the visual cue, and at a location over the associated visual element based on the defined spatial characteristics of the visual cue.

The examiner maintains that it was well known in the art to provide "spatial and temporal characteristics of the visual cue; and in synchronization with display of the visual <u>component,</u> a displaying step to display the visual cue with the visual representation in the spatial and temporal relationships specified by the spatial and temporal characteristics, wherein the defined temporal and spatial characteristics of the visual cue are relative to temporal and spatial characteristics of the associated visual component, and wherein the <u>display of the</u> visual cue is superimposed over the associated visual component in the multimedia presentation a visual appearance based on the defined visual representation of the visual cue, during a period of time based on the defined temporal characteristics of the visual cue, and at a location over the

associated visual element based on the defined spatial characteristics of the visual cue", as taught by Hendricks.

In a similar field of endeavor Hendricks teaches spatial and temporal characteristics of the visual cue; and in synchronization with display of the visual component, a displaying step to display the visual cue with the visual representation in the spatial and temporal relationships specified by the spatial and temporal characteristics, wherein the defined temporal and spatial characteristics of the visual cue are relative to temporal and spatial characteristics of the associated visual component (figure 2, labels 36, & 40, & Para. 0061, & 0113).

In addition, Hendricks teaches wherein the display of the visual cue is superimposed over the associated visual component in the multimedia presentation a visual appearance based on the defined visual representation of the visual cue, during a period of time based on the defined temporal characteristics of the visual cue, and at a location over the associated visual element based on the defined spatial characteristics of the visual cue (figure 3, Labels 36, & 44, & Para. 0061, & 0070, & 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bugaj by specifically providing "spatial and temporal characteristics of the visual cue; and in synchronization with display of the visual component, a displaying step to display the visual cue with the visual representation in the spatial and temporal relationships specified by the spatial and temporal characteristics, wherein the defined temporal and spatial characteristics of the visual cue are relative to temporal and spatial characteristics of the associated visual

component, and wherein the _display of the_ visual cue is superimposed over the
associated visual component in the multimedia presentation a visual appearance based
on the defined visual representation of the visual cue, during a period of time based on
the defined temporal characteristics of the visual cue, and at a location over the
associated visual element based on the defined spatial characteristics of the visual
cue", as taught by Hendricks, for the purpose of providing interactive presentations
thereby providing additional information on presentation to user while user is watching
the presentation.

Regarding Claim 14, Bugaj teaches schedule elements with begin and end time
wherein the duration is the difference between the end time and begin time of an
element (section 6.1, General Semantics, line 3, & section 6.2 page 8, line 3) which
meets "A computer-readable medium wherein the temporal characteristics include at
least two of begin time, end time, and duration".

Regarding Claim 15, Bugaj teaches an image element tagged as an XML media
object element (section 6.4, Syntax) which inherently meets "A computer-readable
medium, wherein the visual representation includes color".

Regarding Claim 16, Bugaj teaches an image attribute (section 6.4, Syntax)
which meets "A computer-readable medium, wherein the visual representation includes
shape".

Regarding Claim 17, Bugaj teaches a layout section of a SMIL document
including alternative layout elements embedded in a switch element used to determine
the placement of the presentation (section 5, General Semantics, lines 1-6) which

meets "A computer-readable medium, wherein the spatial characteristics include position".

Regarding Claim 18, Bugaj teaches a SMIL document for the newscast presentation illustrated in figure 7.1 page 26 wherein the layout and temporal elements are controlled by their associated attributes in hierarchal order (section 7.4 page 27) which meets "A computer-readable medium, wherein the XML-based element for the visual cue is nested within an XML- based element that defines the associated visual component".

Regarding claim 22, Bugaj teaches a news broadcast on the web as shown in figure 7.1 to the left and right (section 7.4, page 26, lines 2-9) which meets " A method for displaying a synchronized multimedia presentation on a display screen of a computer executing an XML-based browser, comprising".

In addition Bugaj teaches an XML data structure holding the elements of the of the newscast scenario written in XML code comprising elements stored in tags wherein each element has its own properly defined attribute including spatial and temporal characteristics to perform a presentation (page 27) which meets "receiving XML-based data including an XM.L-based element for a visual cue together with an XM'L-based element for a visual component contained in the multimedia presentation, wherein the XML-based visual cue element is nested within the XML-based element for the associated visual component".

Bugaj teaches a layout section of a SMIL document including alternative layout elements embedded in a switch element used to determine the placement of the

presentation (section 5, General Semantics, lines 1-6), however, Bugaj is silent on wherein the XMI based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cote and a display of the multimedia component; and displaying the synchronized multimedia presentation including the visual cue superimposed over the multimedia component in a temporal and spatial relationship defined by the attributes of the XML-based visual cue element.

The examiner maintains that it was well known in the art to provide "wherein the XMI based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cote and a display of the multimedia component; and displaying the synchronized multimedia presentation including the visual cue superimposed over the multimedia component in a temporal and spatial relationship defined by the attributes of the XML-based visual cue element", as taught by Hendricks.

In a similar field of endeavor Hendricks teaches wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cote and a display of the multimedia component; and displaying the synchronized multimedia presentation including the visual cue superimposed over the multimedia component in a temporal and spatial relationship defined by the attributes of the XML-based visual cue element (figure 2, labels 36, & 40, & Para. 0061, & 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bugaj by specifically providing "wherein the XML-based visual cue element includes attributes that define temporal and spatial

relativity between a display of the visual cote and a display of the multimedia component; and displaying the synchronized multimedia presentation including the visual cue superimposed over the multimedia component in a temporal and spatial relationship defined by the attributes of the XML-based visual cue element", as taught by Hendricks, for the purpose of providing interactive presentations thereby providing additional information on presentation to user while user is watching the presentation.

Regarding claim 23, Bugaj is silent on a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue.

The examiner maintains that it was well known in the art to provide "a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue", as taught by Hendricks.

In a similar field of endeavor Hendricks teaches a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue (figure 3, Labels 36, & 44, & Para. 0061, & 0070, & 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bugaj by specifically providing "a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute

that defines spatial characteristics of the visual cue; and a temporal element attribute

that defines temporal characteristics of the visual cue", as taught by Hendricks, for the

purpose of providing interactive presentations thereby providing additional information

on presentation to user while user is watching the presentation.

Regarding Claim 24, Bugaj teaches schedule elements with begin and end time

wherein the duration is the difference between the end time and begin time of an

element (section 6.1, General Semantics, line 3, & section 6.2 page 8, line 3) which

meets "a method, wherein the temporal characteristics include at least two of begin

time, end time, and duration".

Regarding Claim 25, Bugaj teaches an image element tagged as an XML media

object element (section 6.4, Syntax) which inherently meets "a method, wherein the

visual representation includes at least one of a shape and a color of the visual cue".

Regarding claim 26, Bugaj teaches a news broadcast on the web as shown in

figure 7.1 to the left and right (section 7.4, page 26, lines 2-9) which meets "A computer-

readable memory medium storing computer- executable process steps that cause a

computer to display a synchronized multimedia presentation on a display screen of the

computer which is executing an XML-based browser, wherein the computer-executable

process steps comprise".

In addition Bugaj teaches an XML data structure holding the elements of the of

the newscast scenario written in XML code comprising elements stored in tags wherein

each element has its own properly defined attribute including spatial and temporal

characteristics to perform a presentation (page 27) which meets "receiving XML-based

data including an XML-based element for a visual cue together with an XML-based element for a visual component contained in the multimedia presentation, wherein the XML-based visual cue element is nested within the XML-based element for the associated visual component".

Bugaj teaches a layout section of a SMIL document including alternative layout elements embedded in a switch element used to determine the placement of the presentation (section 5, General Semantics, lines 1-6), however, Bugaj is silent on wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the visual component; and displaying the synchronized multimedia presentation including the visual cue superimposed over the visual component in a temporal and spatial relationship defined by the attributes of the XML-based visual cue element.

The examiner maintains that it was well known in the art to provide "wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the visual component; and displaying the synchronized multimedia presentation including the visual cue superimposed over the visual component in a temporal and spatial relationship defined by the attributes of the XML-based visual cue element", as taught by Hendricks.

In a similar field of endeavor Hendricks teaches wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the visual component; and displaying the synchronized multimedia presentation including the visual cue superimposed over the

visual component in a temporal and spatial relationship defined by the attributes of the XML-based visual cue element (figure 2, labels 36, & 40, & Para. 0061, & 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bugaj by specifically providing "wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the visual component; and displaying the synchronized multimedia presentation including the visual cue superimposed over the visual component in a temporal and spatial relationship defined by the attributes of the XML-based visual cue element", as taught by Hendricks, for the purpose of providing interactive presentations thereby providing additional information on presentation to user while user is watching the presentation.

Regarding claim 27, Bugaj is silent on a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue.

The examiner maintains that it was well known in the art to provide "a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue", as taught by Hendricks.

In a similar field of endeavor Hendricks teaches a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines

temporal characteristics of the visual cue (figure 3, Labels 36, & 44, & Para. 0061, & 0070, & 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bugaj by specifically providing "a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue", as taught by Hendricks, for the purpose of providing interactive presentations thereby providing additional information on presentation to user while user is watching the presentation.

5.   Claims 34-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bugaj, in view of Hendricks, in view of US Patent Publication 2005/0198569 to Fong et al. (Fong).

Regarding claim 34, Bugaj teaches an XML data structure holding the elements of the of the newscast scenario written in XML code comprising elements stored in tags wherein each element has its own properly defined attribute including spatial and temporal characteristics to perform a presentation (page 27) which meets "retrieving the XML-based data from a computer-readable storage medium by using a computer, wherein the XML-based data includes an XML-based element for a visual cue together with an XML-based element for a visual component contained in the multimedia presentation, wherein the XML-based visual cue element is nested within the XML-based element for the associated visual component".

Bugaj teaches a layout section of a SMIL document including alternative layout elements embedded in a switch element used to determine the placement of the presentation (section 5, General Semantics, lines 1-6), however, Bugaj is silent on wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the visual component; editing the XML-based data; and storing the edited XML-based data in the computer-readable storage medium.

The examiner maintains that it was well known in the art to provide "wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the visual component; editing the XML-based data; and storing the edited XML-based data in the computer-readable storage medium", as taught by Hendricks and Fong.

In a similar field of endeavor Hendricks teaches wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the visual component (figure 2, labels 36, & 40, & Para. 0061, & 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bugaj by specifically providing "wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the visual component", as taught by Hendricks, for the purpose of providing interactive presentations thereby

providing additional information on presentation to user while user is watching the presentation.

Bugaj and Hendricks are silent on editing the XML-based data; and storing the edited XML-based data in the computer-readable storage medium.

However, the examiner maintains that it was well known in the art to provide "editing the XML-based data; and storing the edited XML-based data in the computer-readable storage medium", as taught by Fong.

In a similar field of endeavor Fong teaches editing the XML-based data; and storing the edited XML-based data in the computer-readable storage medium (claim 6, entire).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bugaj and Hendricks by specifically providing "editing the XML-based data; and storing the edited XML-based data in the computer-readable storage medium", as taught by Fong, for the purpose of debugging thereby allowing for smooth display of encoded presentation.

Regarding claim 35, Bugaj and Fong are silent on a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue.

The examiner maintains that it was well known in the art to provide "a visual element attribute that defines a visual representation of the visual cue; a spatial element

attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue", as taught by Hendricks.

In a similar field of endeavor Hendricks teaches a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue (figure 3, Labels 36, & 44, & Para. 0061, & 0070, & 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bugaj and Fong by specifically providing "a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue", as taught by Hendricks, for the purpose of providing interactive presentations thereby providing additional information on presentation to user while user is watching the presentation.

Regarding Claim 36, Bugaj teaches schedule elements with begin and end time wherein the duration is the difference between the end time and begin time of an element (section 6.1, General Semantics, line 3, & section 6.2 page 8, line 3) which meets "a method, wherein the temporal characteristics include at least two of begin time, end time, and duration".

Regarding Claim 37, Bugaj teaches an image element tagged as an XML media object element (section 6.4, Syntax) which inherently meets "a method, wherein the visual representation includes at least one of a shape and a color of the visual cue".

Regarding claim 38, Bugaj teaches an XML data structure holding the elements of the of the newscast scenario written in XML code comprising elements stored in tags wherein each element has its own properly defined attribute including spatial and temporal characteristics to perform a presentation (page 27) which meets "retrieving the XML-based data from a computer-readable storage medium by using a computer, wherein the XML-based data includes an XML-based element for a visual cue together with an XML-based element for a visual component contained in the multimedia presentation, wherein the XML-based visual cue element is nested within the XML-based element for the associated visual component".

Bugaj teaches a layout section of a SMIL document including alternative layout elements embedded in a switch element used to determine the placement of the presentation (section 5, General Semantics, lines 1-6), however, Bugaj is silent on wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the visual component; editing the XML-based data; and storing the edited XML-based data in the computer-readable storage medium.

The examiner maintains that it was well known in the art to provide "wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the visual component;

editing the XML-based data; and storing the edited XML-based data in the computer-readable storage medium", as taught by Hendricks and Fong.

In a similar field of endeavor Hendricks teaches wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the visual component (figure 2, labels 36, & 40, & Para. 0061, & 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bugaj by specifically providing "wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the visual component", as taught by Hendricks, for the purpose of providing interactive presentations thereby providing additional information on presentation to user while user is watching the presentation.

Bugaj and Hendricks are silent on editing the XML-based data; and storing the edited XML-based data in the computer-readable storage medium.

However, the examiner maintains that it was well known in the art to provide "editing the XML-based data; and storing the edited XML-based data in the computer-readable storage medium", as taught by Fong.

In a similar field of endeavor Fong teaches editing the XML-based data; and storing the edited XML-based data in the computer-readable storage medium (claim 6, entire).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bugaj and Hendricks by specifically providing "editing the XML-based data; and storing the edited XML-based data in the computer-readable storage medium", as taught by Fong, for the purpose of debugging thereby allowing for smooth display of encoded presentation.

Regarding claim 39, Bugaj and Fong are silent on a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue.

The examiner maintains that it was well known in the art to provide "a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue", as taught by Hendricks.

In a similar field of endeavor Hendricks teaches a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue (figure 3, Labels 36, & 44, & Para. 0061, & 0070, & 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bugaj and Fong by specifically providing "a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and

a temporal element attribute that defines temporal characteristics of the visual cue", as
taught by Hendricks, for the purpose of providing interactive presentations thereby
providing additional information on presentation to user while user is watching the
presentation.

Regarding Claim 40, Bugaj teaches schedule elements with begin and end time
wherein the duration is the difference between the end time and begin time of an
element (section 6.1, General Semantics, line 3, & section 6.2 page 8, line 3) which
meets "a method, wherein the temporal characteristics include at least two of begin
time, end time, and duration".

Regarding Claim 41, Bugaj teaches an image element tagged as an XML media
object element (section 6.4, Syntax) which inherently meets "a method, wherein the
visual representation includes at least one of a shape and a color of the visual cue".

Regarding claim 42, Bugaj teaches a news broadcast on the web as shown in
figure 7.1 to the left and right (section 7.4, page 26, lines 2-9) which meets "a computer-
readable storage medium for storing XML-based data that encodes a synchronized
display of a multimedia presentation; and for storing computer-executable process
steps; and a processor for executing the process steps stored in the storage medium".

In addition Bugaj teaches an XML data structure holding the elements of the of
the newscast scenario written in XML code comprising elements stored in tags wherein
each element has its own properly defined attribute including spatial and temporal
characteristics to perform a presentation (page 27) which meets "retrieving the XML-
based data from the computer-readable storage medium, wherein the XML-based data

includes an XML-based element for a visual cue together with an XML-based element
for a visual component contained in the multimedia presentation, wherein the XML-
based visual cue element is nested within the XML-based element for the associated
visual component".

Bugaj teaches a layout section of a SMIL document including alternative layout
elements embedded in a switch element used to determine the placement of the
presentation (section 5, General Semantics, lines 1-6), however, Bugaj is silent on
wherein the XML-based visual cue element includes attributes that define temporal and
spatial relativity between a display of the visual cue and a display of the visual
component; storing computer-executable steps that edit the XML-based data; wherein
the process steps comprise: editing the XML-based data; and storing the edited XML-
based data in the storage medium.

The examiner maintains that it was well known in the art to provide "wherein the
XML-based visual cue element includes attributes that define temporal and spatial
relativity between a display of the visual cue and a display of the visual component;
storing computer-executable steps that edit the XML-based data; wherein the process
steps comprise: editing the XML-based data; and storing the edited XML-based data in
the storage medium", as taught by Hendricks and Fong.

In a similar field of endeavor Hendricks teaches wherein the XML-based visual
cue element includes attributes that define temporal and spatial relativity between a
display of the visual cue and a display of the visual component (figure 2, labels 36, &
40, & Para. 0061, & 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bugaj by specifically providing "wherein the XML-based visual cue element includes attributes that define temporal and spatial relativity between a display of the visual cue and a display of the visual component", as taught by Hendricks, for the purpose of providing interactive presentations thereby providing additional information on presentation to user while user is watching the presentation.

Bugaj and Hendricks are silent on storing computer-executable steps that edit the XML-based data; wherein the process steps comprise: editing the XML-based data; and storing the edited XML-based data in the storage medium.

However, the examiner maintains that it was well known in the art to provide "storing computer-executable steps that edit the XML-based data; wherein the process steps comprise: editing the XML-based data; and storing the edited XML-based data in the storage medium", as taught by Fong.

In a similar field of endeavor Fong teaches storing computer-executable steps that edit the XML-based data; wherein the process steps comprise: editing the XML-based data; and storing the edited XML-based data in the storage medium (Para. 0170, entire, & claim 6, entire).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bugaj and Hendricks by specifically providing "storing computer-executable steps that edit the XML-based data; wherein the process steps comprise: editing the XML-based data; and storing the edited

XML-based data in the storage medium", as taught by Fong, for the purpose of debugging thereby allowing for smooth display of encoded presentation.

Regarding claim 43, Bugaj and Fong are silent on a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue.

The examiner maintains that it was well known in the art to provide "a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue", as taught by Hendricks.

In a similar field of endeavor Hendricks teaches a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue (figure 3, Labels 36, & 44, & Para. 0061, & 0070, & 0113).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the ystem of Bugaj and Fong by specifically providing "a visual element attribute that defines a visual representation of the visual cue; a spatial element attribute that defines spatial characteristics of the visual cue; and a temporal element attribute that defines temporal characteristics of the visual cue", as taught by Hendricks, for the purpose of providing interactive presentations thereby

providing additional information on presentation to user while user is watching the presentation.

Regarding Claim 44, Bugaj teaches schedule elements with begin and end time wherein the duration is the difference between the end time and begin time of an element (section 6.1, General Semantics, line 3, & section 6.2 page 8, line 3) which meets "an apparatus, wherein the temporal characteristics include at least two of begin time, end time, and duration".

Regarding Claim 45, Bugaj teaches an image element tagged as an XML media object element (section 6.4, Syntax) which inherently meets "an apparatus, wherein the visual representation includes at least one of a shape and a color of the visual cue".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY BANTAMOI whose telephone number is (571)270-3581. The examiner can normally be reached on Monday - Friday 8-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272 7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.   Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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